THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.14402 of 2007

Dated: 06.07.2007

Between:

K.Srinivas, S/o K.C.R.Naidu

… **PETITIONER**

And:

The Sub-Registrar, Registration & Stamps
Department, Sabbavaram, Visakhapatnam District.

…. RESPONDENT

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.14402 of 2007

ORDER:

The father of the petitioner executed a Gift Deed dated 28.02.2007 in favour of the petitioner, proposing to transfer an extent of Ac.1.37 cents of land in Sy.No.205/26 of Peda Mushidivada village of Paravada Mandal in Visakhapatnam District. The same was presented before the respondent for registration. It was assigned P.No.64/2007. Thereafter, the respondent addressed a letter, dated 13.03.2007, to the Tahsildar, Paravada. In that letter, he made a reference to a protest petition filed by one Mr.Korukonda Peda Ramana, raising objection as to the title of the father of the petitioner as well as the genuinety of the passbooks and adangal presented along with the Gift Deed. The respondent requested the Tahsildar to verify the genuinety of the pattadar passbook in respect of the said land so as to enable him to take further steps. The same is challenged in this writ petition.

Heard the learned counsel for the petitioner and the learned

Government Pleader for Revenue.

A perusal of the letter, dated 13.03.2007, discloses that the respondent sought clarification of the Tahsildar, Paravada, mostly as to the genuinety of pattadar passbooks and adangal in respect of the land covered by the Gift Deed. Reference is also made to certain claims made by third parties.

Section 6-D of the Andhra Pradesh Rights in Land and Pattadar Pass Books Act, 1971 mandates that the registering authority shall not only take into account the title deed and passbook in relation to any land, while registering the transaction of transfer, but also make entries of such transactions into the passbooks. The petitioner had presented the pattadar passbook and adangal along with the Gift Deed. In the light of the objections raised by some third parties, it became necessary for the respondent to verify the genuinety of the pattadar passbook and title deed. To this extent, no exception can be taken. However, the respondent cannot entertain the third party claims vis-à-vis the land covered by the Gift Deed. If any individual is aggrieved or claimed any right vis-à-vis the said land, he has to work out the same by approaching the Court of law.

For the foregoing reasons, the writ petition is disposed of directing that verification by the respondent from the Tahsildar, Paravada, in pursuance of the letter dated 13.03.2007 shall be restricted to the genuinety of the pattadar passbook and title deed presented by the petitioner. In case they are found to be genuine, he shall proceed to admit the document to registration, if other requirements are complied with, and he shall not take into account any claims as to title by third parties. There shall be no order as to costs.

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06.07.2007

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